

(“ADA”), 42 U.S.C. §§ 12101 *et seq.* (both Plaintiffs) and New York State Human Rights Law, N.Y. Exec. Law § 290 *et seq.* (Plaintiff Panarese). Plaintiffs seek declaratory relief, injunctive relief and compensatory damages, and related relief.

Defendant denies all of Plaintiff’s allegations, contends that the Website is accessible to the visually-impaired, and denies that Plaintiffs are entitled to any recovery of any kind.

3. Proposed Scheduling Order:

- a. Initial interrogatories, requests for admission and requests for production of documents shall be served by April 20, 2023.
- b. The parties will file any motions to amend the pleadings or add additional parties no later than 30 days from the date of this Order.
- c. The parties expect the non-expert witnesses to including Plaintiffs Rusty Rendon and John Panarese, and a representative of Defendant. The depositions of these witnesses will be completed by July 20, 2023.
- d. The parties will complete all non-expert discovery by July 20, 2023.
- e. The parties anticipate calling experts with knowledge and expertise concerning the accessibility of websites to the visually-impaired, and the applicable standards re same. The parties will complete expert discovery by September 4, 2023.
- f. The parties anticipate that Plaintiffs and Defendants may file motions for summary judgment. Those motions shall be filed no later than October 4, 2023. The parties shall follow the rules of the assigned District Judge with respect to any pre-motion conference, filing or other requirements for dispositive motions.

4. The parties do not currently anticipate any limitations to be placed on discovery, including any protective or confidentiality orders.

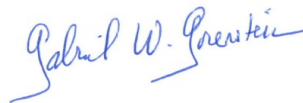
5. The parties are not currently in disagreement concerning any discovery issues.

6. This will be a jury trial, and the parties anticipate that it will take two to three days.

7. The parties believe that sixty days from the date of this Order would be an approximate date or stage of the case when it would be most helpful to engage in settlement discussions with the assistance of a mediator. The parties are considering whether to engage a private mediator.

8. All discovery (including requests for admission and any applications to the Court with respect to the conduct of discovery) must be initiated in time to be concluded by the deadline for all discovery. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application and in accordance with this Court's Individual Practices. Any application not in compliance with this paragraph will be denied. To the extent a party expects to produce electronically stored information, the parties shall promptly discuss the protocols for the search and review of such material.

DATED: March 20, 2023



Gabriel W. Gorenstein.
United States Magistrate
Judge